

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

STEVEN G. HOLDER, THE STEVEN
HOLDER TRUST,
AND THE HOLDER FAMILY LP, a
California limited partnership,

Petitioners,

- against -

MERRILL LYNCH, PIERCE, FENNER
& SMITH INCORPORATED, a
Delaware corporation,

Respondent.

CASE NO. SACV08-961-JVS(JWJx)

ORDER AND JUDGMENT

On November 17, 2008, the Court conducted a hearing on Petitioners Steven G. Holder, the Steven Holder Trust, and the Holder Family LP's (collectively, "Holder") Motion to Vacate Arbitration Award and on Respondent and Cross-Petitioner Merrill Lynch, Pierce, Fenner & Smith Incorporated's ("Merrill Lynch") Cross-Motion to Confirm Arbitration Award. On December 12, 2008, the Court issued its written decision granting Merrill Lynch's Cross-Motion and denying Holder's Motion ("Decision") for the reasons stated therein. Therefore, for all the reasons stated in the Decision:


IT IS ORDERED, ADJUDGED, AND DECREED that

1. Merrill Lynch's Cross-Motion to Confirm Arbitration Award is GRANTED, and Holder's Motion to Vacate Arbitration Award is DENIED.

2. **IT IS FURTHER ORDERED** that Holder's Petition to Vacate Arbitration Award is DISMISSED.

3. Holder shall take nothing from Merrill Lynch on Holder's Petition to Vacate Arbitration Award and judgment is entered in favor of Merrill Lynch.

Dated: December 24, 2008


The Honorable James V. Selna
United States District Judge

Submitted by:

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